

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Dennis Himmelberger, on March 4, 2009 at 9:01 A.M., in Room 455 Capitol

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Russell Bean (R)
Rep. Joel Boniek (R)
Rep. Dee Brown (R)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Mike Phillips (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: None

Members Absent: Rep. Sue Dickenson, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Frosty Boss Ribs (D)
Rep. Mary Caferro (D)
Rep. Betsy Hands (D)
Rep. Kendall Van Dyk (D)

Staff Present: Sheri Heffelfinger, Legislative Branch
Marshall McEwen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 187, SB 240, SB 243, 2/25/2009

Executive Action: SB 90, SB 123

HEARING ON SB 240

Opening Statement by Sponsor:

00:01:16 Sen. John Brenden (R), SD 18, opened the hearing on
SB 240, Residency requirements for public boards and
commissions; clarify "residence".
00:02:21 Rep. Dickenson entered the room.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:04:17 Rep. Brown
00:04:41 Sen. Brenden
00:05:32 Chairman Himmelberger

Closing by Sponsor:

00:05:37 Sen. Brenden
00:05:42 Chairman Himmelberger

HEARING ON SB 243

Opening Statement by Sponsor:

00:06:22 Sen. Joe Balyeat (R), SD 34, opened the hearing on
SB 243, Constitutional amendment to require majority
vote in general elections.

EXHIBIT(sth48a01)

Proponents' Testimony: None

Opponents' Testimony:

00:15:20 Linda McCulloch, Montana Secretary of State
EXHIBIT(sth48a02)

00:19:11 Terri Minow, MEA-MFT

Informational Testimony: None

Questions from Committee Members and Responses:

00:20:36 Rep. Phillips
00:21:31 Sen. Balyeat
00:22:44 Rep. Phillips
00:23:15 Sen. Balyeat
00:23:52 Rep. Phillips
00:24:08 Sen. Balyeat
00:24:26 Rep. Phillips
00:24:55 Sen. Balyeat
00:26:00 Rep. Boniek
00:26:27 Sen. Balyeat
00:27:04 Rep. Wilmer
00:27:52 Sen. Balyeat
00:30:18 Rep. Wilmer
00:30:51 Chairman Himmelberger
00:31:07 Rep. Malek
00:31:32 Sen. Balyeat
00:32:29 Rep. Malek
00:32:55 Sen. Balyeat
00:35:14 Chairman Himmelberger

Closing by Sponsor:

00:35:18 Sen. Balyeat
00:37:51 Chairman Himmelberger

HEARING ON SB 187

Opening Statement by Sponsor:

00:38:06 Sen. Joe Balyeat (R), SD 34, opened the hearing on
SB 187, Limit districting to 1% deviation.

[EXHIBIT\(sth48a03\)](#)

Proponents' Testimony:

00:53:06 Chuck Denowh, Self

Opponents' Testimony:

00:57:02 Scott Crichton, Executive Director, American Civil
Liberties Union

[EXHIBIT\(sth48a04\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

01:07:00 Chairman Himmelberger
01:07:34 Rep. Boniek
01:08:02 Sen. Balyeat
01:08:09 Rep. Malek
01:08:22 Sen. Balyeat
01:08:27 Rep. Boss Ribs entered the room.
01:08:50 Chairman Himmelberger
01:09:01 Rep. Malek
01:09:28 Sen. Balyeat
01:12:40 Rep. Malek
01:13:11 Chairman Himmelberger
01:13:16 Rep. Phillips
01:13:33 Sen. Balyeat
01:13:38 Rep. Phillips
01:14:01 Sen. Balyeat
01:14:04 Rep. Phillips
01:14:23 Sen. Balyeat
01:14:36 Rep. Phillips
01:15:15 Sen. Balyeat
01:16:15 Rep. Phillips
01:16:53 Sen. Balyeat
01:17:44 Rep. Phillips
01:17:54 Sen. Balyeat
01:18:29 Rep. Brown
01:18:50 Sen. Balyeat
01:19:05 Rep. Wilmer
01:19:40 Sen. Balyeat
01:22:32 Rep. Wilmer
01:23:11 Sen. Balyeat
01:24:56 Rep. Phillips
01:25:53 Sen. Balyeat
01:26:43 Rep. Dickenson
01:27:17 Mr. Crichton
01:27:24 Rep. Dickenson
01:28:15 Sen. Balyeat
01:28:25 Rep. MacLaren exited the room.
01:29:34 Rep. Dickenson
01:29:46 Chairman Himmelberger

Closing by Sponsor:

01:29:49 Sen. Balyeat
01:30:23 Chairman Himmelberger
01:30:43 Sen. Balyeat
01:31:27 Rep. Malek exited the room.
01:32:36 Rep. Dickenson exited the room.
01:33:09 Chairman Himmelberger

01:33:33 Committee takes a break.
 01:48:53 Committee reconvenes. Rep. Belcourt, Rep. Caferro, Rep. Dickenson, Rep. Hands, Rep. Malek, and Rep. Van Dyk were not present after the break.

EXECUTIVE ACTION ON SB 90

01:49:08 **Motion:** Rep. MacLaren moved that **SB 90 BE CONCURRED IN.**

Discussion:

01:49:17 Chairman Himmelberger
 01:49:32 Rep. Wilmer
 01:49:56 Rep. Brown
 01:50:45 Rep. Wilmer
 01:51:02 Rep. Brown
 01:51:05 Rep. Hands entered the room.
 01:51:11 Chairman Himmelberger
 01:51:16 Ms. Heffelfinger, Legislative Services Division
 01:51:28 Rep. Malek entered the room.
 01:51:42 Rep. Brown
 01:51:59 Rep. MacLaren
 01:52:29 Rep. Brown
 01:53:06 Ms. Heffelfinger
 01:54:36 Rep. Brown
 01:54:48 Ms. Heffelfinger
 01:56:19 Chairman Himmelberger
 01:57:36 Ms. Heffelfinger
 01:58:19 Rep. Boss Ribs
 01:58:32 Chairman Himmelberger
 01:58:38 Ms. Heffelfinger
 01:59:12 Rep. Hands
 02:00:03 Chairman Himmelberger
 02:00:19 Rep. Wilmer
 02:01:20 Rep. Brown
 02:01:42 Chairman Himmelberger

 02:01:46 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Caferro, Rep. Dickenson, and Rep. Van Dyk voted by proxy. Rep. Ingraham will carry the bill in the House.

 02:02:14 Chairman Himmelberger
 02:02:24 Ms. Heffelfinger
 02:03:04 Chairman Himmelberger

EXECUTIVE ACTION ON SB 123

02:03:47 **Motion:** Rep. Brown moved that **SB 123 BE CONCURRED IN.**

Discussion:

02:03:51 Chairman Himmelberger
02:04:00 Rep. Ingraham
02:06:08 Rep. Bean
02:06:33 Rep. Wilmer

02:07:00 Rep. Brown withdrew her motion.

Committee Business:

02:07:08 Chairman Himmelberger
02:07:44 Rep. Wilmer
02:08:04 Chairman Himmelberger
02:08:22 Ms. Heffelfinger
02:09:00 Chairman Himmelberger
02:11:56 Rep. Ingraham
02:12:00 Rep. Dickenson entered the room.
02:12:35 Rep. Brown
02:13:47 Rep. Boniek
02:14:04 Chairman Himmelberger
02:15:00 Rep. Boniek
02:15:02 Chairman Himmelberger
02:15:20 Rep. Washburn
02:15:36 Rep. Wilmer
02:16:03 Rep. Phillips
02:16:14 Chairman Himmelberger

02:16:23 **Motion/Vote:** Rep. Boniek moved to draft a study resolution to examine bonus payments in state government. Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Caferro, and Rep. Van Dyk were not present to vote and there were no proxy votes.

02:17:08 Chairman Himmelberger
02:17:53 Rep. Wilmer
02:18:48 Chairman Himmelberger
02:19:12 Rep. Hands
02:19:31 Rep. Ingraham
02:20:05 Rep. Boniek
02:20:26 Rep. Phillips
02:20:45 Ms. Heffelfinger
02:21:45 Rep. Brown
02:21:55 Rep. Hands
02:22:33 Rep. Hendrick
02:23:18 Rep. Washburn
02:24:13 Rep. Malek
02:25:30 Rep. Boniek
02:25:50 Rep. Brown
02:26:12 Chairman Himmelberger

ADJOURNMENT

02:26:53 Adjournment: 11:28 A.M.

Marshall McEwen, Secretary

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Additional Exhibits:

EXHIBIT (sth48a05) Information pertaining to SB 90

Additional Documents:

EXHIBIT (sth48aad.pdf)